

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/729,767
Filing Date: December 8, 2003
First Named Inventor: Richard P. Himmer
Group Art Unit: 2192
Examiner Name: Ben C. Wang
Attorney Docket Number: I20 04983US
CUSTOMER NO.: 00128

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
 - a. XXXXX Previously submitted
 - i. XXXXX Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on December 1, 2008 (any unentered amendment(s) referred to above will be entered).
 - ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. _____ Other _____
 - b. _____ Enclosed
 - i. _____ Amendment/Reply with transmittal
 - ii. _____ Affidavit(s)/Declaration(s)
 - iii. _____ Information Disclosure Statement (IDS) and PTO-1449
 - iv. _____ Other _____
2. Miscellaneous
 - a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
 - b. _____ Other _____
3. Fees The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
 - a. XXXXX The Commissioner is hereby authorized to charge \$810.00 for the RCE fee and any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.
 - i. XXXXX RCE fee (\$810.00) required under 37 C.F.R. § 1.17(e)
 - ii. _____ Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. _____ Other _____
 - b. _____ Check in the amount of \$ _____ enclosed
 - c. _____ Payment by credit card (Form PTO-2038 enclosed)

December 30, 2008
Date of Signature


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